

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

MARTIN PEDRO,

Defendant.

03-CR-346 (SHS)

ORDER

SIDNEY H. STEIN, U.S. District Judge:

On April 8, 2021, defendant was resentenced principally to a term of imprisonment of 195 months.¹

On July 22, 2024, defendant filed a motion requesting that the Court reduce his sentence pursuant to Amendment 821 to the Sentencing Guidelines which went into effect on November 1, 2023, and applies retroactively.

The Court has determined that defendant is not eligible for a sentence reduction. While defendant is eligible for the status-point recalculation, defendant is ultimately precluded from a sentence reduction because his sentence—195 months—is below the low end of the recalculated guideline range—262 months.

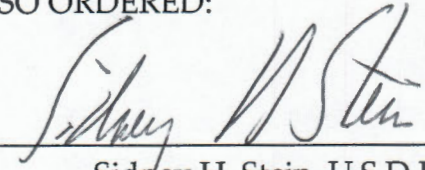
Accordingly, defendant's motion is hereby DENIED.

The Clerk of Court is directed to mail a copy of this Order to Martin Pedro (#51782-054), USP Coleman II, U.S. Penitentiary, P.O. Box 1034, Coleman, FL 33521.

Dated: New York, New York

August 19, 2024

SO ORDERED:



Sidney H. Stein, U.S.D.J.

¹ Defendant was originally sentenced to a term of imprisonment of 819 months on April 23, 2004. The Court resentenced defendant after two counts were vacated pursuant to *United States v. Davis*, 588 U.S. 445 (2019).